



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**SEP 18 2008**

REPLY TO THE ATTENTION OF:

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Conrad Fingerson, CEO  
Geotek, Inc.  
1421 Second Avenue N.W.  
Stewartville, Minnesota 55976

Dear Mr. Fingerson:

This is to advise you that the U.S. Environmental Protection Agency has determined that Geotek, Incorporated's facility located at 1421 Second Avenue N.W., Stewartville, Minnesota (facility) is in violation of the Clean Air Act (CAA) and its implementing pollution control requirements. A list of the requirements violated is provided below. We are today issuing to you a Finding of Violation (FOV) for these violations.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each State is required to develop a federally enforceable state implementation plan. The CAA also requires EPA to develop National Emission Standards for Hazardous Air Pollutants (NESHAP) to protect the public from emissions of Hazardous Air Pollutants (HAPs). The NESHAP for Surface Coating of Plastic Parts and Products at 40 C.F.R. Part 63 Subpart PPPP and the NESHAP for Reinforced Plastic Composites Production at 40 C.F.R. Part 63 Subpart WWW includes the following requirements:

1. The NESHAP for Surface Coating of Plastic Parts and Products provides, among other things, that a source of HAPs subject to the NESHAP shall notify the EPA in a timely manner.
2. The NESHAP for Surface Coating of Plastic Parts and Products provides, among other things, that a source of HAPs subject to the NESHAP shall submit an initial notice of compliance status in a timely manner.

3. The NESHAP for Reinforced Plastic Composites Production provides, among other things, that a source of HAPs subject to the NESHAP shall submit an initial notice of compliance status in a timely manner.
4. The NESHAP for Reinforced Plastic Composites Production provides, among other things, that a source of HAPs subject to the NESHAP shall submit semi annual reports in a timely manner.
5. The NESHAP for Reinforced Plastic Composites Production provides, among other things, that a source of HAPs subject to the NESHAP must reduce total organic HAP emissions by at least 60 weight percent on its pultrusion machines.

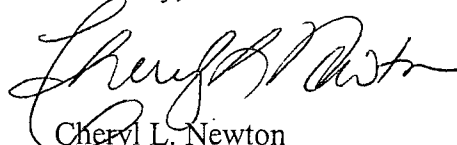
EPA finds that Geotek has violated the Reinforced Plastic Composites Production NESHAP, located at 40 C.F.R. Part 63, Subpart WWWW, and the Surface Coating of Plastic Parts and Products NESHAP, located at 40 C.F.R. Part 63, Subpart PPPP. These violations constitute violations of the CAA.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select, in part, depends on the efforts taken by Geotek to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the FOV.

We are offering you the opportunity to request a conference with us about the violations alleged in the FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

EPA contacts in this matter are Shilpa Patel, Environmental Engineer, and Christine Liszewski, Associate Regional Counsel. You may call them at (312) 886-0120 and (312) 886-4670, respectively, if you wish to request a conference. EPA hopes that this FOV will encourage Geotek's compliance with the requirements of the Clean Air Act.

Sincerely,



Cheryl L. Newton

Acting Director

Air and Radiation Division

Enclosure

cc: Sarah D. Kilgriff, MPCA

United States Environmental Protection Agency  
Region 5

IN THE MATTER OF:	)	
	)	
Geotek, Inc.	)	FINDING OF VIOLATION
Stewartville, Minnesota	)	
	)	EPA-5-08-MN-32
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 et seq.	)	
	)	

**FINDING OF VIOLATION**

Geotek, Inc. (you or Geotek) owns and operates a reinforced plastic products manufacturing and plastic coating facility, at 1421 Second Ave. N.W., Stewartville, Minnesota.

The U.S. Environmental Protection Agency is sending this Finding of Violation (FOV) to you for violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reinforced Plastic Composites Production, 40 C.F.R. Part 63, Subpart WWWW (Subpart WWWW), and the NESHAP for Surface Coating of Plastic Parts and Products, 40 C.F.R. Part 63, Subpart PPPP (Subpart PPPP). A list and explanations of the violated requirements are provided below. The listed violations constitute violations of the Clean Air Act (CAA).

1. On April 21, 2003, the EPA promulgated Subpart WWWW. 68 Fed. Reg. 19402. The Subpart WWWW regulations are applicable to any person who owns or operates a reinforced plastic composites production facility that is located at a major source of Hazardous Air Pollutants (HAP) emissions. 40 C.F.R. § 63.5785(a). Table 2 to Subpart WWWW of Part 63 requires compliance for an existing source by April 21, 2006.
2. The following Subpart WWWW requirements are relevant to this FOV:
  - a. 40 C.F.R. §63.5905 requires the owner or operator to submit all of the notifications in Table 13 to this subpart that apply by the dates specified in Table 13 to this subpart.
    - i. Table 13 to Subpart WWWW requires the Notice of Compliance Status as specified in § 63.9(h) for an existing source subject to this subpart to be submitted no later than 30 calendar days after the compliance date.
  - b. 40 C.F.R. §63.5910(b)(2) requires the first compliance report to be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected

source in 63.5800.

- c. 40 C.F.R. § 63.5910(b)(4) requires each subsequent compliance report to be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.
- d. 40 C.F.R. § 63.5910(b)(5) requires each affected source that is subject to permitting requirements pursuant to 40 C.F.R. Part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to § 70.6(a)(3)(iii)(A), to submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraph (b)(1) through (4) of this section.
- e. 40 C.F.R. § 63.5805(b) requires, among other things, all operations at existing facilities not listed in paragraph (a) of this section to meet the organic HAP emissions limits in Table 3 to this subpart.
- f. Table 3 to Subpart WWWW requires pultrusion operations to reduce total organic HAP emissions by at least 60 weight percent.
- g. 40 C.F.R. § 63.5830 requires pultrusion operations subject to the 60 weight percent organic HAP emissions reductions requirement to use one or more of the options in paragraphs (a) through (e) of this section.
- h. 40 C.F.R. § 63.5830(b) requires the owner or operator to design, install, and operate wet area enclosures and resin drip collection systems on its pultrusion machines that meet the criteria in paragraphs (b)(1) through (10) of this section.
  - i. 40 C.F.R. § 63.5830(b)(1) requires the enclosure to cover and enclose the open resin bath and the forming area in which reinforcements are pre-wet or wet-out and moving toward the die(s). The surfaces of the enclosure must be closed except for openings to allow material to enter and exit the enclosure.
  - ii. 40 C.F.R. § 63.5830(b)(3) requires enclosures for open bath pultrusion machines without a radio frequency pre-heat unit to extend from the beginning of the resin bath to within 0.5 inches or less of the die entrance.
  - iii. 40 C.F.R. § 63.5830(b)(5) requires the total open area of the enclosure not to exceed two times the cross sectional area of the puller window(s) and must comply with the requirements in paragraphs (b)(5)(i) through (iii) of this section.
    - 1. 40 C.F.R. § 63.5830(b)(5)(i) requires all areas that are open to be included in the total open area calculation with the exception of access panels, doors, and/or hatches that are part of the enclosure.

2. 40 C.F.R. § 63.5830(b) (5)(ii) requires the area that is displaced by entering reinforcement or exiting product to be considered open.
    3. 40 C.F.R. § 63.5830(b) (5)(iii) requires the areas that are covered by brush covers to be considered closed.
  - iv. 40 C.F.R. § 63.5830(b)(6) requires open areas for level control devices, monitoring devices, agitation shafts, and fill hoses to have no more than 1.0 inch clearance.
  - v. 40 C.F.R. § 63.5830(b)(7) requires access panels, doors, and/or hatches that are part of the enclosure to be close tightly. Damaged access panels, doors, and/or hatches that do not close tightly must be replaced.
  - vi. 40 C.F.R. § 63.5830(b)(8) requires the enclosure not to be removed from the pultrusion line, and access panels, doors, and/or hatches that are part of the enclosure to remain closed whenever resin is in the bath, except for the time period discussed in paragraph (b)(9) of this section.
  - vii. 40 C.F.R. § 63.5830(b)(9) requires the maximum length of time that the enclosure may be removed from the pultrusion line or the access panels, doors, and/or hatches and may be open, to be limited to 30 minutes per 8 hour shift, 45 minutes per 12 hour shift, or 90 minutes per day if the machine is operated for 24 hours in a day. The time restrictions do not apply if the open doors or panels do not cause the limit of two times the puller window area to be exceeded. Facilities may average the times that access panels, doors, and/or hatches are open across all operating lines. In that case the average must not exceed the times shown in this paragraph (b)(9). All lines included in the average must have operated the entire time period being averaged.
  - viii. 40 C.F.R. § 63.5830(b)(10) prohibits any fans, blowers, and/or air lines within the enclosure. The enclosure must not be ventilated.
3. On April 19, 2004, the EPA promulgated Subpart PPPP. 69 Fed.Reg. 20990. The Subpart PPPP regulations are applicable to any person who owns or operates a plastic parts and products surface coating facility that uses 378 liters (100 gallons) per year, or more, of coatings that contain HAP and that is a major source, is located at a major source, or is part of, a major source of (HAP) emissions. 40 C.F.R. § 63.4481(b). The compliance date for an existing affected source is the date three years after April 19, 2004. 40 C.F.R. § 63.4483(b).
4. The following Subpart PPPP requirements are relevant to this FOV
  - a. 40 C.F.R. § 63.4510(b) requires an existing plastic parts and products surface coating facility to submit the initial notification required by § 63.9(b) no later than 1 year after April 19, 2004.

- b. 40 C.F.R § 63.4510(c) requires an affected source to submit the notification of compliance status no later than 30 calendar days following the end of the initial compliance period.

### **Factual Background**

5. Geotek owns and/or operates a reinforced plastic composites production facility at 1421 Second Avenue N.W., Stewartville, Minnesota.
6. Geotek owns and/or operates a plastic parts and products surface coating facility at 1421 Second Avenue N.W., Stewartville, Minnesota.
7. Minnesota Pollution Control Agency (MPCA) issued a Title V Permit to Geotek for its Stewartville facility on December 4, 2001. MPCA issued an amendment to the Title V permit on July 21, 2005.
8. Geotek operates emission unit EU 001 Pultrusion Line and EU 004 Spray booth as identified in its Title V Permit at its 1421 Second Avenue N.W., Stewartville, Minnesota facility.
9. Geotek's Emission Unit EU 001 is subject to Subpart WWWW.
10. Geotek's Emission Units EU 001 and EU 004 are subject to Subpart PPPP.
11. On December 13, 2007, Geotek submitted an Initial Notification for Subpart PPPP, Notification of Compliance Status for Subpart WWWW and three semiannual compliance reports for Subpart WWWW covering the periods from April 19, 2006 through June 30, 2006, July 1, 2006 through December 31, 2006 and January 1, 2007 through June 30, 2007.
12. On June 10, 2008, Geotek submitted its response to a CAA Section 114 Information Request sent by EPA on May 5, 2008.
13. Geotek has 12 product lines in the pultrusion operations at the facility. By October 2007, Geotek installed enclosures on six products lines. By June 2008, Geotek installed enclosures on three additional product lines. As of June 2008, Geotek had not yet installed enclosures on three of its 12 product lines.

### **Explanation of Violations**

14. Based on the information submitted by Geotek, EPA has determined that the facility has failed to comply with Subpart WWWW and Subpart PPPP regulations as described below.

### **Subpart WWWW**

15. Geotek failed to submit the notice of compliance status in a timely manner as required by § 63.5905 and Table 13 to Subpart WWWW. The notice of compliance status was required to be submitted on May 20, 2006. The notice of compliance status was submitted on December 19, 2007. The notice was approximately 19 months late.
16. Geotek failed to submit the semi-annual compliance reports in a timely manner as required by § 63.5910(b). They were submitted on December 13, 2007 for reporting periods of April 19, 2006 through June 30, 2007. Geotek was required to submit the first semi-annual report postmarked or delivered no later than January 31, 2007. Geotek was required to submit the subsequent report postmarked or delivered no later than July 31, 2007. Thus, the initial report was approximately 11 months late and the subsequent report was five months late.
17. Geotek has failed to reduce total organic HAP emissions by at least 60 weight percent by April 19, 2006 as required by Tables 2 and 3 to Subpart WWWW at its pultrusion operations by failing to implement one or more of the options in paragraphs (a) through (e) of § 63.5830.

### **Subpart PPPP**

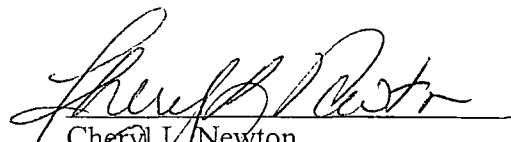
18. Geotek failed to submit the initial notification in a timely manner as required by § 63.4510(b). The initial notification was required to be submitted no later than 1 year after April 19, 2004. EPA received the initial notification on December 18, 2007. The notice was approximately 32 months late.
19. Geotek failed to submit the notification of compliance status report in a timely manner as required by § 63.4510(c). The notification of compliance status report was required to be submitted no later than 30 calendar days following the end of the initial compliance period. The report was due May 30, 2008. To date, EPA has not received the notification of compliance status report.

### **Environmental Impact of Violations**

20. Violation of the NESHAP standards may cause serious health effects, such as birth defects and cancer, and harmful environmental and ecological effects.

Date

9/18/08

  
Cheryl L. Newton  
Acting Director  
Air and Radiation Division



## CERTIFICATE OF MAILING

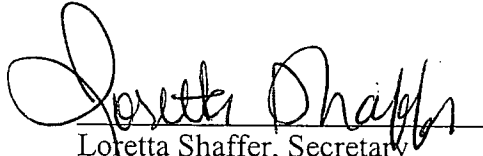
I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-08-MN-32, by Certified Mail, Return Receipt Requested, to:

Conrad Fingerson, CEO  
Geotek, Inc.  
1421 Second Avenue N. W.  
Stewartville, Minnesota 55976

I also certify that I sent copies of the Finding of Violation by first class mail to:

Sarah D. Kilgriff  
Minnesota Pollution Control Agency  
Compliance and Enforcement Section  
Industrial Division  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194

on the 18 day of September, 2008.

  
Loretta Shaffer, Secretary  
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0186 0910